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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 08-0025 WHA
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	EXCLUDING TIME UNDER 18 U.S.C. § 3161
v.)	
)	
REMSEN BENEDICT,)	
)	
Defendant.)	
)	

On February 5, 2008, the parties in this case appeared before the Court and stipulated that time should be excluded from the Speedy Trial Act calculations from February 5, 2008 through March 18, 2008. The parties represented that granting the continuance was necessary for effective preparation and continuity of counsel, taking into account the exercise of due diligence,

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1 to afford defense counsel time to review discovery and in light of upcoming knee surgery and a
2 medical leave of counsel for the government. See 18 U.S.C. § 3161(h)(8)(B)(iv).

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4 SO STIPULATED:

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6 JOSEPH P. RUSSONIELLO
7 United States Attorney

8 DATED: March 18, 2008

9 /s/ Denise Barton
10 DENISE MARIE BARTON
Assistant United States Attorney

11 DATED: March 18, 2008

12 /s/
13 GEORGE C. BOISSEAU
14 GEOFFREY DUNHAM
Attorney for REMSEN BENEDICT

15 As the Court found on February 5, 2008, and for the reasons stated above, the Court finds
16 that the ends of justice served by the continuance outweigh the best interests of the public and
17 the defendant in a speedy trial and that time should be excluded from the Speedy Trial Act
18 calculations from February 5, 2008 through March 18, 2008 for effective preparation and
19 continuity of counsel. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested
20 continuance would deny counsel reasonable time necessary for effective preparation, taking into
21 account the exercise of due diligence, and would result in a miscarriage of justice. See 18 U.S.C.
22 §3161(h)(8)(B)(iv).

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24 SO ORDERED.

25
26 DATED: _____

27 HON. WILLIAM H. ALSUP
28 United States District Court Judge